REMARKS

I. Introduction

With the cancellation of claims 16 and 17 without prejudice, claims 15 and 18 to 28 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

Applicants thank Examiner for acknowledging the claim for foreign priority and indicating that all certified copies of the priority documents have been received.

II. Rejection of Claims 15 to 28 Under 35 U.S.C. § 102(b)

Claims 15 to 28 were rejected under U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,803,052 ("Lorraine et al."). It is respectfully submitted that Lorraine et al. do not anticipate claims 15 to 28 for at least the following reasons.

Claim 15 relates to a support element for mutually bracing a fuel injector and a fuel-distributor line, comprising: at least a first portion for bracing against the fuel injector; and at least a second portion for bracing against the fuel-distributor line; wherein the support element prevents radial forces from being applied to the fuel injector.

Although Applicants may not agree with the merits of the rejection, to simplify matters, claim 15 has been amended to recite, *inter alia*, the features of claims 16 and 17, and claims 16 and 17 have been canceled. In addition, claims 18 to 24 have been amended to change their dependencies from now-canceled claim 16 to claim 15. Claim 15 as amended recites, in relevant parts, that ***the support element is adapted to space the fuel injector and the fuel-distributor line apart from one another in a manner that is free of radial forces; the support element includes a clamp which is braced against a shoulder of the fuel injector on one side and against a shoulder of the fuel-distributor line on another side; and the support element includes tabs that are elastically deformable in an axial direction of the fuel injector and the fuel distributor line***. Support for these amendments may be found, for example, on page 4, lines 27 to 33 and page 6, lines 27 to 30 of the Specification

Lorraine et al. describe a spring clip (10) for holding together a fuel injector (12) and a fuel rail cup (14), including first and second parallely spaced side walls (16, 18) and a third side wall (20) resiliently connecting the first and second side walls (16, 18) to form a generally U-shaped body having an open side (22). The first and second parallely spaced side walls (16, 18) include flanges (24, 26) extending inwardly toward one another from opposed lower edges (30) of third side wall (20). The flanges (24, 26) are configured to interact with an exterior surface of the fuel injector (12) to locate the injector (12) axially with respect to the clip (10). The first and second side walls (16, 18) also include slots (38, 40) arranged to receive a flanged portion (42) of the fuel rail cup (14) such that the clip (10) is located axially with respect to the cup (14). In this manner, the fuel injector (12) is located axially with respect to the fuel rail cup (14). An aperture (44) in the third side wall (20) receives both a radially protruding orientation key (46) of the injector (12) and a corresponding orientation key (48) of the fuel rail cup (14) to prevent relative rotational movement of the injector (12) and the cup (14). Angled upper portions (50, 52) of the side walls (16, 18) and the presence of aperture (44) in the angled upper portion (54) of third side wall (20) allow the clip (10) to be radially installed on the injector (12) and permit subsequent axial connection of the clip (10) to the fuel rail cup (14) when the injector inlet end is inserted into the cup (14). Alternatively, when the injector (12) is assembled in the fuel rail cup (14), the clip (10) may be snapped onto the assembly. In either case, the clip (10) prevents relative axial and rotational movement of the injector (12) and the fuel rail cup (14).

Lorraine et al., however, do not disclose, or even suggest the feature of claim 15, that the support element is adapted to space the fuel injector and the fuel-distributor line apart from one another in a manner that is free of radial forces. ***As is apparent from Fig. 1 and column 3, lines 24 to 28, the spring clip (10) of Lorraine et al. retains the fuel injector (12) and the fuel rail cup (14) in close contact with one another, and does not space the injector (12) and the cup (14) apart as provided by the above-mentioned feature of claim 15***. In addition, Lorraine et al. do not disclose, or even suggest, the feature of claim 15, that the support element includes tabs that are elastically deformable in an axial direction of the fuel injector and the fuel distributor line. Lorraine et al. do disclose that the third side wall (20) resiliently connects the first and second side walls (16, 18). ***However, as is apparent from Fig. 1 and the assembly methods described from column***

3, line 49 to column 4, line 16, the side walls (16, 18) of Lorraine et al. are only free to deflect radially with respect to the axis of the fuel injector (12) and the fuel rail cup (14), and not axially as provided by the above-mentioned feature of claim 15. The vertical dimension of the webs connecting the side walls (16, 18) to the third side wall (20) is such, that the side walls (16, 18) are effectively prevented from deflecting or bending in a vertical plane. Moreover, since the fuel injector and the fuel-distributor line of claim 15 are spaced apart from one another by a rather flexible support element, which connects the two components, the support element not only transmits the holding-down force of the fuel-distributor line to the fuel injector, but also provides flexible fixation that compensates for tolerances, offsets and linear deformation, e.g. due to heating during operation of the internal combustion engine. Accordingly, it is respectfully submitted that Lorraine et al. do not anticipate claim 15.

As mentioned above, claims 16 and 17 have been canceled, thereby rendering moot the rejection with respect to these claims.

As for claims 18 to 28, which ultimately depend from claim 15 and therefore include all of the features of claim 15, it is respectfully submitted that Lorraine et al. do not anticipate these dependent claims for at least the reasons set forth above in support of the patentability of claim 15.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

III. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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